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# Performance Evaluations

## 1001.1 PURPOSE AND SCOPE

This policy provides guidelines for the Easton Police Department performance evaluation system.

## 1001.2 POLICY

The Easton Police Department shall use a performance evaluation system to measure, document and recognize work performance. The performance evaluation will serve as an objective guide for the recognition of good work and the development of a process for improvement.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

## 1001.3 TYPES OF EVALUATIONS

The Department shall use the following types of evaluations:

**Regular** - Completed semi-annually for non-probationary members. The rating periods are January 1 through June 30 and July 1 through December 31.

When an employee transfers to a different assignment in the middle of an evaluation period, the evaluation should be completed by the current supervisor with input from the previous supervisor.

### PERFORMANCE EVALUATION FORM 15

Completed every six months for non-probationary members.

Completed quarterly for the duration of a newly promoted sworn member's probationary period.

Completed bi-monthly for probationary support members.

Prepared using the guidelines on the Performance Evaluation Form 15.

Used for promotional evaluation.

### PROGRESS REPORT FORM 16

Completed weekly for probationary officers for the duration of their Field Training Program.

If the probationary officers have significant deficiencies noted, they may be evaluated as often as required by the Deputy Chief or Chief of Police.

### IDC FORM 48

Completed monthly during the 90 day probationary period of members recently transferred into full time specialized units.

Completed quarterly during the one year probationary period of members recently assigned to a part time specialized unit.

A final report is submitted to the Deputy Chief at the conclusion of the probationary period.

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**Special** - An evaluation that may be completed at any time the supervisor and Commander or the authorized designee determine an evaluation is necessary to address less than standard performance. The evaluation may include a plan for follow-up action (e.g., performance improvement plan (PIP), remedial training, retraining.)

The respective Division Commander, the Deputy Chief or the Chief of Police may request unscheduled evaluations, as circumstances dictate. Specific dates covered by such evaluations will be indicated.

All evaluations shall be permanently maintained as part of the member's personnel record.

#### 1001.3.1 RATINGS

When completing an evaluation, the supervisor will identify the rating category that best describes the employee's performance. The definition of each rating category is as follows.

Numerical values shall be applied as follows:

- (a) 3 - Indicates that the member has demonstrated, or is performing the behavior or task in a superior manner.
- (b) 2 - Indicates that the member has demonstrated, or is performing the behavior or task in a manner that is considered acceptable.
- (c) 1 - Indicates that the member has demonstrated, or is performing the behavior or task in a manner that is not acceptable.

Supervisor comments may be included in the evaluation to document the employee's strengths, weaknesses and requirements for improvement. Any job dimension rating of 1 or 3 shall be substantiated with supervisor comments.

#### 1001.3.2 UNSATISFACTORY PERFORMANCE RATING

##### (a) **GENERAL**

1. To constitute a satisfactory score, a member must receive an overall minimum average score of 2.0. Members who fail to receive an overall 2.0 shall receive remedial training in the deficient areas or demonstrate proficiency (or satisfactory improvement) in deficient areas. The remedial training and/or demonstrated proficiency shall be attached to the unsatisfactory evaluation.
2. Any member whose performance is deemed to be unsatisfactory during the rating period will be counseled by their supervisor on the affected areas.
3. Supervisors must let members know how well they are doing by discussing their work performance, not only when Performance Evaluations are due, but on a regular, continual basis as entries are made on the "Job Observation Record."
4. Unsatisfactory job performance may be grounds for termination of employment.
5. Department action as a result of unsatisfactory job performance is not considered discipline. Therefore, the Law Enforcement Officer Bill of Rights (LEOBR) is not implicated and officers do not possess any LEOBR Rights.

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6. Unsatisfactory job performance may be demonstrated by:
  - (a) Lack of knowledge of the application of laws required to be enforced.
  - (b) Unwillingness or inability to perform essential job functions for which the member is employed.
  - (c) Failure to conform to acceptable work standards established for the member or member's position or rank.
  - (d) Failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving police attention.
  - (e) Repeated poor or unacceptable performance evaluations.
  - (f) Repeated violations of the Department rules and regulations.

#### 1001.3.3 PERFORMANCE IMPROVEMENT PLAN

Employees who receive an unsatisfactory rating may be subject to a PIP. The PIP shall delineate areas that need improvement, any improvement measures and a timetable in which to demonstrate improvement. The issuing supervisor shall meet with the employee to review his/her performance and the status of the PIP at least monthly.

#### 1001.4 EVALUATION PROCESS

The Deputy Chief of Police is responsible for administering the Employee Performance Evaluation process within the Department. During the rating period, each member is accountable to only one supervisor at any given time.

Supervisors should meet with the employees they supervise at the beginning of the evaluation period to discuss expectations and establish performance standards. Each supervisor should discuss the tasks of the positions, standards of expected performance and the evaluation criteria with each employee.

Performance evaluations cover a specific period of time and should be based upon documented performance dimensions that are applicable to the duties and authorities granted to the employee during that period. Evaluations should be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the evaluating supervisor for input.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise and to acknowledge good work. Periodic discussions with the employee during the course of the evaluation period are encouraged. Supervisors should document all discussions in the prescribed manner.

Non-probationary employees demonstrating substandard performance should be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues.

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All supervisors shall receive training on performance evaluations within one year of a supervisory appointment.

Commanders shall review all performance evaluations prior to the evaluation being issued to the rated member.

Ratings for each period must be turned in prior to the 20th of the month following the rating period, unless otherwise directed.

If the member is on extended leave or unavailable for justified reasons, the evaluation:

- (a) Will be submitted with the notation that the member was not available to review and acknowledge the evaluation.
- (b) Will include the reason why the member was unavailable.
- (c) Will be made available to the member upon their return for review.

May be contested by the rated member.

- (a) Allow for the rated member to make written comments and sign the evaluation, indicating that they have read it.
- (b) Do not require a signature from the rated member. Supervisors will note refusal to sign performance ratings and record the reason, if given.
- (c) All evaluations shall be permanently maintained as part of the member's personnel record. Forms are distributed as follows:
- (d) Original sent through channels to the Deputy Chief and retained in the individual's personnel record.
- (e) Copy made and given to the rated member at the member's request.

All evaluations shall be permanently maintained as part of the member's personnel record. Forms are distributed as follows:

- (a) Original sent through channels to the Deputy Chief and retained in the individual's personnel record.
- (b) Copy made and given to the rated member at the member's request.

#### **1001.5 JOB OBSERVATION RECORD FORM 46**

Every member rated would like to know why a particular rating number was assigned and this is often quite difficult for the rating supervisor to explain. It is very helpful when the rater can cite specific instances or performance, either good or bad, for assigning a specific score.

Since no supervisor can recall exact details surrounding every specific incident of exceptional performance or behavior for even one member over a long-term period, he must record instances when they occur. It is a means of ensuring performance evaluations or disciplinary actions are valid.

Documentation of performance should contain the following elements:

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- (a) Date and time a particular incident(s) occurred. Action taken or the behavior exhibited by the member.
- (b) Resulting consequences of that behavior on the member's total work performance, and/or the operations of the work unit and/or Department.
- (c) Response of the supervisor to the member's action or behavior.

#### **1001.5.1 SUPERVISORS**

Supervisors shall document noteworthy or unsatisfactory performance on a Job Observation Record (EPD Form 46) for each member under his direct supervision and maintain the record in a binder supplied by the Department. Supervisors will refer to this documentation when the supervisor begins the evaluation process, to assist in arriving at a fair and equitable score for those members evaluated.

Supervisors shall use Form 46 to document minor infractions and the action taken by the supervisor for those violations that are handled informally. Formal disciplinary action taken against a subordinate should not be described in this record, however, it should be noted that the subordinate was disciplined.

Supervisors shall, as soon as practical, review each entry with the subordinate and require the subordinate to initial the entry. The subordinate will be offered the opportunity to write comments regarding each entry on the Form 46A. Each comment shall identify the entry that is being addressed and the subordinate shall sign his name at the end of each comment.

Supervisors shall attach the Job Observation Record to the member's next Performance Evaluation.

#### **1001.6 EVALUATION INTERVIEW**

When the supervisor has completed his/her evaluation, a private discussion of the evaluation should be scheduled with the employee. The supervisor should discuss the evaluation ratings and respond to any questions the employee may have. The supervisor should provide relevant counseling regarding advancement, specialty positions and training opportunities. Any performance areas in need of improvement and goals for reaching the expected level of performance should be identified and discussed. If the employee has reasonable objections to any of the ratings, the supervisor may make appropriate adjustments to the evaluation. The reason for such adjustments shall be documented.

Allow for the rated member to make written comments and sign the evaluation, indicating that they have read it.

Do not require a signature from the rated member. Supervisors will note refusal to sign performance ratings and record the reason, if given.

#### **1001.7 CHAIN OF REVIEW**

The signed performance evaluation and any employee attachment should be forwarded to the evaluating supervisor's Commander or the authorized designee. The Commander or

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the authorized designee shall review the evaluation for fairness, impartiality, uniformity and consistency, and shall consider any written response or appeal made by the employee.

The Commander or the authorized designee should evaluate the supervisor on the quality of ratings given.

#### **1001.8 APPEAL**

An employee who disagrees with his/her evaluation may provide a formal written response that will be attached to the evaluation, or may request an appeal.

The member shall submit a written request to his supervisor, asking that the evaluation be reviewed within 7 days of receiving the evaluation.

The review will include an interview between the member, the evaluator, and the Division Commander.

The reviewing commander has the authority to override or support the original evaluation.

The conclusion of the review will be put, in writing, on a Form 48 by the reviewing Commander and attached to the original evaluation before it is forwarded.

Unsatisfied members have the right to appeal to the Chief of Police, following the same procedure as previously stated in the initial appeal.

The Chief's decision shall be final.

#### **1001.9 PROBATIONARY PERIODS**

##### **1001.9.1 POLICE OFFICERS**

New Members:

- (a) A new member is on Probationary Status for two years from the date of graduation from the Police Academy.
- (b) Certified officers hired under the Lateral Entry Program will serve a probationary period at the discretion of the Chief of Police.

Promotions:

- (a) One year from date of promotion.

Specialized Unit Assignment:

- (a) 90 days from date of assignment.

##### **1001.9.2 SUPPORT MEMBERS**

New Members:

- (a) Six months from date of employment.

Promotions:

- (a) Probation is for one year from date of promotion.

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#### **1001.9.3 UNSATISFACTORY PROBATIONARY EVALUATIONS**

New members may be dismissed from the Department with no right to appeal or may have their probation extended for further evaluation at the discretion of the Chief of Police.

Members who were promoted may be demoted to their previous rank or position or have their probation extended for further evaluation at the discretion of the Chief of Police.

Specialized Unit members may be reassigned or have their probation extended for further evaluation at the discretion of the Chief of Police.

Probation extensions will not exceed six (6) additional months.

#### **1001.9.4 SUPERVISORS**

Supervisors shall evaluate subordinates who are on probation under their supervision as required. At the end of probationary period, make one of the following recommendations, based on the member's performance:

- (a) Release from probationary status.
- (b) Request probationary status extension, with remedial training required to improve performance.
- (c) Recommend rejection on probation, termination, demotion, or reassignment.

#### **1001.10 RETENTION AND DISTRIBUTION**

The original performance evaluation and any original correspondence related to an appeal shall be maintained by the Department in accordance with the Personnel Records Policy.

A copy of the evaluation and any documentation of a related appeal shall be provided to the employee.